

MINUTES OF THE CANANDAIGUA CITY
COUNCIL MEETING
THURSDAY, MAY 4, 2017 7:00 P.M.
City Council Chambers
City Website: canandaiguanewyork.gov

Mayor Polimeni called the meeting to order at 7:00 PM

Pledge of Allegiance:

Roll Call:

Members Present: Councilmember Ward 2 Anita Twitchell
Councilmember Ward 3 Karen White
Councilmember Ward 4 Cindy Wade
Councilmember-at-Large Matt Martin
Councilmember-at-Large Robert O'Brien
Councilmember-at-Large James Terwilliger
Councilmember-at-Large David Whitcomb
Mayor Ellen Polimeni

Members Absent: Councilmember Ward 1 Nick Cutri – Absent due to illness

Also Present: City Manager Ted Andrzejewski
Corporation Counsel Michele O. Smith
City Clerk-Treasurer Nancy C. Abdallah
Assistant City Manager John Goodwin

Mayor Polimeni asked for a moment of silence for Tony Harris, a former Council Member who passed away unexpectedly last month.

Review of Community Core Values: Councilmember Ward 3 White read Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

Approval of Minutes:

Councilmember-at-Large Terwilliger moved for the approval of the Council Minutes of April 6, 2017. Councilmember Ward 4 Wade seconded the motion.

Vote Result: Carried unanimously by voice vote. (8-0)

Recognition of Guests:

- a. Mayor Polimeni read a proclamation declaring the month of May Poppy Days, in remembrance of our veterans.
- b. Members of the American Auxiliary, Barb Saar and Yvonne Chavez, provided Poppies of the Council Members.

Committee Reports:

Planning Development Committee Meeting: May 2, 2017 (Appendix A)

- Noise Ordinance Exemption Request
- Funding for Unsafe Buildings
- Electric Charging station

Environmental/Parks Committee Meeting: April 18, 2017 (Appendix B)

- Research Site request
- Street Light Conversion Contract
- Dog Park

Ordinance/Charter Committee Meeting: April 18, 2017 (Appendix C)

- Sanctuary City Designation
- Vending Guidelines and Regulations
- BID By Law Amendment

Finance/Budget Committee Meeting: April 25, 2017 (Appendix D)

- Resident passes to Kershaw Park
- Mutual Aid with Ontario County
- NYSEG permanent easement
- Funds for Charter Review Commission public education
- Surplus Vehicles and Equipment
- Budget discussion of Fire Services.

Planned Unit Development: April 20, 2017 (Appendix E)

- Public Hearing Lisk Building PUD
- SEQR Review

Resolutions:

Resolution #2017-040:

Moved: Councilmember-at-Large Martin

Seconded: Councilmember-at-Large Whitcomb

A RESOLUTION APPROVING THE USE OF GIBSON STREET PARK AS A RESEARCH LOCATION

WHEREAS, Kaitlin Deutsch, a PhD student in the Entomology Department of Cornell University, requested permission to utilize Gibson Street Park as a location for her dissertation research studying the effect of landscape on wild bee populations by installing a “bee hotel” nest box; and

WHEREAS, City staff recommended that City Council approve the request and said recommendation was reviewed and approved by the Environmental/Parks Committee at its April 18, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby approves the installation of a temporary “bee hotel” nest box at Gibson Street until December 31, 2017.

Discussion: Joel Freedman, Canandaigua New York, spoke in opposition to this resolution because it would involve freezing to death hundreds of bees at each site for research which has no real scientific purpose.

The motion CARRIED on the following vote:

AYES: Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Terwilliger.

Resolution #2017-041:

Moved: Councilmember-at-Large Whitcomb

Seconded: Councilmember-at-Large O'Brien

A RESOLUTION AUTHORIZING A LETTER OF INTENT AND PERFORMANCE CONTRACT FOR THE LED STREETLIGHT CONVERSION PROJECT

WHEREAS, the City has been exploring the acquisition of all street lights in the City from RG&E and converting the existing fixtures to LED technology as a means to conserve energy, reduce energy costs, improve service to the community and become a “greener” community; and

WHEREAS, an RFP was distributed to several energy service companies (ESCOs) for proposals to assist the City in implementing the project through a performance contract, on a guaranteed performance basis, pursuant to Article 9 of the New York State Energy Law; and

WHEREAS, five firms responded to the RFP and three of which were interviewed with City staff recommending SmartWatt Energy, Inc (SmartWatt); and

WHEREAS, the Environmental/Parks Committee reviewed and approved the recommendation at its April 18, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby authorizes the City Manager to execute a letter of intent with SmartWatt Energy, Inc in substantially the same form as attached hereto.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2017-042:

Moved: Councilmember-at-Large Martin

Seconded: Councilmember Ward 4 Wade

A RESOLUTION APPROVING AN AMENDMENT TO THE

**BYLAWS OF THE
DOWNTOWN CANANDAIGUA BUSINESS
MANAGEMENT ASSOCIATION**

WHEREAS, on June 3, 1999, the Canandaigua City Council adopted bylaws describing and regulating the operation of the Downtown Canandaigua Business Management Association (AKA “The BID”); and

WHEREAS, the BID Board of Directors desires to make changes to these Bylaws with regard to the definition of a “Class C” member, or “Tenant” member; and

WHEREAS, these amendments were reviewed and approved by the Ordinance Committee at its April 18, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby approves the amendment of the bylaws of the Downtown Canandaigua Business Management Association as attached hereto.

Vote Result: Carried unanimously by voice vote. (8-0)

Resolution #2017-043

Moved: Councilmember-at-Large O’Brien

Seconded: Councilmember-at-Large Martin

**A RESOLUTION AUTHORIZING THE
COUNTY-WIDE HIGHWAY PROJECTS AND MAINTENANCE MUTUAL AID
INTERMUNICIPAL AGREEMENT**

WHEREAS, Ontario County includes 26 municipalities (Cities of Canandaigua and Geneva; Towns of Gorham, Canandaigua, Hopewell, South Bristol, Naples, Bristol, Canadice, Richmond, West Bloomfield, East Bloomfield, Victor, Farmington, Manchester, Phelps, Seneca and Geneva; Villages of Rushville, Naples, Bloomfield, Victor, Manchester, Shortsville, Clifton Springs and Phelps); and

WHEREAS, each of these municipalities and Ontario County maintain certain capabilities (staff, vehicles and equipment) for the performance of highway projects and maintenance; and

WHEREAS, no individual municipality has all of the resources it would need to complete all possible types of highway projects or maintenance; and

WHEREAS, the highway and public works department personnel of the many Ontario County municipalities know of their neighboring communities capabilities that compliment their own department’s capabilities; and

WHEREAS, these municipal employees and departments have a long standing practice of assisting their neighbors to the extent that they are able with highway projects and maintenance activities; and

WHEREAS, this intermunicipal cooperation assist all of the municipalities with their efforts to control their costs; and

WHEREAS, the Ontario County Public Works department has drafted an intermunicipal agreement that provides a formal legal frame work under which the historic intermunicipal cooperation can be conducted, thus protecting all involved,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby authorizes the City Manager to execute the Mutual Aid Agreement For Sharing Highway Equipment and Labor Services in substantially the same form as attached hereto.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2017-044:

Moved: Councilmember Ward 4 Wade

Seconded: Councilmember-at-Large O'Brien

A RESOLUTION AMENDING THE 2017 GENERAL FUND BUDGET FOR THE CHARTER REVIEW COMMISSION

WHEREAS, the Charter Review Commission was formed on June 10, 2016 by Mayor Ellen Polimeni pursuant to New York State Home Rule Law §36(4) with the charge of reviewing the entire City Charter and preparing a draft of proposed changes and/or amendments; and

WHEREAS, the Charter Review Commission has researched and analyzed the existing municipal government to identify areas of the City organization and operations which can be improved by charter changes; and

WHEREAS, the Charter Review Commission has completed this work and prepared a draft of proposed changes and/or amendments and has requested funding from the City Council to prepare and distribute education materials for City residents prior to the required referendum on the changes; and

WHEREAS, the Finance/Budget Committee approved this request at its April 24, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby appropriates \$3,000 from the Contingency budget for the purpose of preparing and distributing education materials related to the Charter Review Commission's proposed changes and/or amendments to the City Charter and hereby authorizes that said funds be transferred to the appropriate budget account, as determined by the City Clerk/Treasurer.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2017-045:

Moved: Councilmember Ward 4 Wade
Seconded: Councilmember Ward 3 White

**A RESOLUTION DECLARING VARIOUS USED AND UNWANTED
CITY VEHICLES AND EQUIPMENT SURPLUS**

WHEREAS, there exists used and unwanted vehicles and equipment, so noted on the attached list, that are no longer essential to the operations of the City of Canandaigua; and

WHEREAS, it is necessary to declare as surplus the vehicles and equipment on the attached list such that they may be sold at public auction, via sealed bid, as trade ins, or as a donation; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby declares as surplus the equipment and vehicles contained on the attached list and they are to be sold to the highest bidder at a public auction, through sealed bids, to be traded in on future equipment purchases pursuant to City and State purchasing guidelines, or donated to the Finger Lakes Law Enforcement Academy.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2017-046:

Moved: Councilmember Ward 2 Twitchell
Seconded: Councilmember Ward 3 White

**A RESOLUTION DETERMINING THE ENVIRONMENTAL SIGNIFICANCE
OF REZONING 243-299 GORHAM STREET, CANANDAIGUA TO A
PLANNED UNIT DEVELOPMENT ZONE**

WHEREAS, on March 6, 2017, Capstone Real Estate Development, LLC (the "Applicant") submitted an application for sketch plan approval to redevelop the property at 243-299 Gorham Street (the "Project") and Planned Unit Development ("PUD") zoning designation under the Planned Unit Development Ordinance of the City of Canandaigua as set forth in Article XII of the Code of the City of Canandaigua (the "PUD Ordinance"); and

WHEREAS, the City Council deemed the submission to be complete and initiated the required State Environmental Quality Review ("SEQR") review for the Project by declaring itself lead agency; and

WHEREAS, on April 12, 2017, the Ontario County Planning Board rendered a favorable report to the City Council pursuant to Section 239-m of the N.Y. General Municipal Law; and

WHEREAS, on April 12, 2017, the City of Canandaigua Planning Commission issued a favorable report for the Project; and

WHEREAS, on April 20, 2017, the City Council, through its Planned Unit Development Committee conducted a public hearing for the purpose of considering the PUD zone district designation for

the area in accordance with applicable law, and for the purpose of obtaining public input regarding sketch plan approval or disapproval for the Project, and for reviewing any potential environmental impacts; and

WHEREAS, at the same meeting the City Council reviewed the Environmental Assessment Form (EAF) for the proposed Project, identified the relevant areas of environmental concern, and taken a hard look at these areas of concern; and

WHEREAS, upon review of the information recorded on the EAF regarding the Project impacts and consideration of both the magnitude and importance of each impact, it is reasonably determined that the Project will result in no major adverse impacts and, therefore, will not cause significant damage to the environment;

NOW, THEREFORE, BE IT RESOLVED by the Canandaigua City Council that the proposed redevelopment project (Lisk PUD) at 243-299 Gorham Street in the City of Canandaigua, will not have a significant effect on the environment, and directs that the attached SEQR Negative Declaration be filed in accordance with the requirements of the New York State Environmental Quality Review Act.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2017-047

Moved: Councilmember-at-Large Whitcomb

Seconded: Councilmember-at-Large Martin

A RESOLUTION APPROVING THE SKETCH PLAN FOR FORMER LISK MANUFACTURING PROPERTY REDEVELOPMENT PLANNED UNIT DEVELOPMENT

WHEREAS, on March 6, 2017, Capstone Real Estate Development, LLC (the "Applicant") submitted an application for sketch plan approval to redevelop the property at 243-299 Gorham Street (the former Lisk Manufacturing facility site) (the "Project") and Planned Unit Development ("PUD") zoning designation under the Planned Unit Development Ordinance of the City of Canandaigua as set forth in Article XII of the Code of the City of Canandaigua (the "PUD Ordinance"); and

WHEREAS, the City Council deemed the submission to be complete and initiated the required State Environmental Quality Review ("SEQR") review for the Project by declaring itself lead agency; and

WHEREAS, the City Manager issued a Coordinated Staff Review of the Project and the sketch plan and rezoning request has been referred to and reviewed by the City Planning Commission and the Ontario County Planning Board; and

WHEREAS, on April 12, 2017, the Ontario County Planning Board rendered a favorable report to the City Council pursuant to Section 239-m of the N.Y. General Municipal Law; and

WHEREAS, on April 12, 2017, the City of Canandaigua Planning Commission issued a favorable report for the Project; and

WHEREAS, on April 20, 2017, the City Council, through its Planned Unit Development Committee conducted a public hearing for the purpose of considering the PUD zone district designation for the area in accordance with applicable law, and for the purpose of obtaining public input regarding sketch plan approval or disapproval for the Project, and for reviewing any potential environmental concerns; and

WHEREAS, on May 4, 2017, the City Council issued a Negative Declaration pursuant to SEQRA; and

NOW, THEREFORE, BE IT RESOLVED by the City Council that the intensity of land use and residential density of the Sketch Plan for the Project, as proposed by the Applicant, and reviewed and supported by the Planned Unit Development Committee at its April 20, 2017 meeting, a copy of which plan on file in the Office of Development and Planning, (the “Plan”) is appropriate for the area and meets the stated intention and objectives of the of the PUD Ordinance by providing the following:

1. A greater choice in the types of housing, lot sizes and community facilities available to existing and potential City residents at all economic levels.
2. More usable open space and recreation areas.
3. The preservation of more trees and outstanding natural topography and better prevention of soil erosion;
4. A creative use of land and related physical development which allows an orderly and efficient use of land resulting in a smaller network of utilities and streets and thereby lower housing costs;
5. An efficient use of land resulting in smaller networks of utilities and streets and thereby lowering housing costs;
6. A development pattern that is in harmony with the objectives of the comprehensive plan;
7. A more desirable environment than would be possible through the strict application of other articles of this chapter.

BE IT FURTHER RESOLVED by the City Council that the Plan, is hereby approved with the finding that this proposal meets the stated intention and objectives of the PUD Ordinance by providing the following:

1. Adequacy and arrangement of pedestrian traffic access and circulation including intersections, road widths, channelization structures and traffic controls;
2. Adequacy and arrangement of pedestrian traffic access and circulation including separation of pedestrian from vehicular traffic, walkway structures, control of intersections with vehicular traffic, and pedestrian convenience;
3. Location, arrangement, appearance and sufficiency of off-street parking and loading;
4. Location, arrangement, size and design of buildings, lighting and signs;
5. Relationship of the various uses to one another and their scale;
6. Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or a noise deterring buffer between adjacent uses and adjoining lands;
7. In the case of apartment houses or multiple dwellings, the adequacy of usable open space for playgrounds and informal recreation;
8. Adequacy of stormwater and sanitary waste disposal facilities;
9. Adequacy of structures, roadways and landscaping in areas with moderate to high susceptibility to flooding and ponding and/or erosion;
10. Protection of adjacent properties against noise, glare, unsightliness, or other objectionable features;
11. Overall environment impact;

12. Conformance with other goals of the City which may have been stated in the zoning resolutions or the City Comprehensive Plan.

BE IT FURTHER RESOLVED, that the City Council's approval of the Plan is expressly subject to the following conditions:

1. The initial phase of the Project shall include all roads, walk-ways, trails, utilities and stormwater facilities for the entire Project.
2. Prior to the issuance of any development permit, a performance and maintenance surety will be established for all infrastructure proposed to be dedicated to the City in the amount established by engineer's estimate for the completion of this work by union-wage labor, plus 15% to account for a minimum of five-years inflation. The City may draw on these funds if the Project does not proceed in accordance with the agreed upon phasing plan.
3. A Stormwater Management and Erosion Control Plan shall be approved by the Director of Public Works prior to the issuance of any development permit. This plan shall ensure that there are no adverse drainage impacts to the surrounding properties and that the drainage to adjacent properties will be improved to the maximum extent feasible.
4. Prior to any utility acceptance, the Applicant shall provide permanent easements to the City to allow access and maintenance under all private roadways, if applicable. Additionally, the Applicant shall provide an agreement to the City from the Homeowners' Association to be established, which shall hold the City harmless for any damage caused to private property as a result of solid waste collection, snow plowing, or any other emergency services provided by the City, and further the Homeowners' Association shall agree to provide any required repairs to such private areas. It being expressly understood that the Homeowners' Association shall be responsible for plowing and maintenance of all private road and driveways.
5. The sketch plan approval granted herein is subject to the staging requirements set forth in Section 850-125(H); in particular, the Applicant shall prepare a staging plan that ensures all individual stages of the PUD will have an integrity of use in their own right so that, if for any reason, the entire Project is not completed, those portions of the Project already constructed will be an asset to the community by themselves.

BE IT FURTHER RESOLVED, that the Project area shall be designated as a Planned Unit Development (PUD) Zone on the City of Canandaigua Zoning Map; and

BE IT FURTHER RESOLVED, that this approval is subject to the above-stated conditions and that failure to adhere to any condition shall be cause to void and revoke the designation as a PUD, and the area shall automatically revert to its prior zone classification. The City Manager shall provide written notice of any condition that is not being met and provide 30 days to cure such condition. Any work that is being performed must cease and desist and new work may not be initiated during the period of time during which the condition is to be cured.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2017-048:

Moved: Councilmember Ward 3 White

Seconded: Councilmember Ward 4 Wade

**A RESOLUTION GRANTING A PERMANENT EASEMENT TO
NYSEG**

WHEREAS, New York State Electric and Gas (NYSEG) owns and maintains gas mains throughout the City in the right-of-way; and

WHEREAS, upon planning a maintenance project on a gas main from the corner of Howell and Charlotte Streets to Fort Hill Ave and East Street, it was discovered that a small section of the pipe cuts across the corner of Sonnenberg Park, which resulted in a request from NYSEG for City approval to maintain the pipes location; and

WHEREAS, the easement will allow NYSEG to use, maintain, replace, construct, repair, reconstruct and improve the gas main lying within, upon or below the easement area; and

WHEREAS, the Finance/Budget Committee reviewed and approved the location of the pipe and easement at their April 24, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the City Manager is authorized to execute any and all documents necessary for an easement to NYSEG for the above-described property upon such terms and conditions as the City Manager and Director of Public Works deem appropriate.

Discussion: Mike Yarger, questioned why the gas line is not moved instead of granting a permanent easement. City responded that this only encroaches a small area of the Park and it would not be economically feasible to move it off the property.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2017-049:

Moved: Councilmember-at-Large Terwilliger

Seconded: Councilmember-at-Large Whitcomb

**A RESOLUTION SUPPORTING THE CONCEPT OF A MEMBERSHIP MODEL OFF-LEASH
DOG PARK IN THE CITY OF CANANDAIGUA**

WHEREAS, the City has been working with a group of citizens called the “Friends of Canandaigua Canine Campus “(CCC) to create an off-leash dog park in the City; and

WHEREAS, the City purchased property at 97 Buffalo Street with the intent that the property be used for a dog park; and

WHEREAS, CCC intends to start its fund-raising efforts and prepare draft rules and regulations to recommend to City Council, but is asking that City Council indicate its support for a “membership model” off-leash dog park prior to commencing these efforts; and

WHEREAS, members of CCC came before the Ordinance/Charter Review Committee on April 18, 2017 to discuss why a membership-model park is the optimal type of park for the safety of the dogs; and

WHEREAS, Councilmember Whitcomb supports the proposal of CCC and requested that the matter be forwarded to the full City Council for its review and determination.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Canandaigua supports the concept of a membership model off-leash dog park, subject to the following understandings:

- 1) completion of a New York State Environmental Quality Review of the proposed park site plan, which results in a negative declaration; and
- 2) approval of proposed membership rules, regulations, and fees by City Council; and
- 3) the City obtaining and/or appropriating necessary financing to develop the proposed dog park.

Discussion:

- *Deanna Briscoe, Hammocks Drive, read a statement in support of the membership model citing many financial, social and safety reasons why this is the preferred and only model supported by the Canandaigua Canine Campus organization.*
- *Mike Yarger is willing to donate \$100 toward memberships for anyone who cannot afford the membership fee.*
- *Councilmembers have received numerous emails in support of the membership model.*

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2017-050:

Moved: Councilmember Ward 3 White

Seconded: Councilmember Ward 2 Twitchell

**A RESOLUTION AUTHORIZING
AN EXCEPTION TO THE NOISE ORDINANCE**

WHEREAS, the Peacemaker Brewing Company and Rio Tomatlan are planning a concert to take place in the parking lot of Rio Tomatlan on July 22, 2017; and

WHEREAS, the concert will take place from 6:00 PM to 11:00 PM and is expected to create noise levels that exceed those generally permitted by the City's Noise Ordinance; and

WHEREAS, § 494-6(F) of the Municipal Code of the City of Canandaigua provides that the City Council may grant exceptions to the Noise Ordinance through a resolution on the basis of special or unusual circumstances and that the City Council, if it grants a special exemption, may apply restrictions such as the Council deems appropriate; and

WHEREAS, the Peacemaker Brewing Company and Rio Tomatlan requested such an exemption and said request was reviewed and approved by the Planning/Development Committee at its May 2, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that a special exemption to the Noise Ordinance is hereby granted to the Peacemaker Brewing Company and Rio Tomatlan for a concert to be held on July 22, 2017; and

BE IT FURTHER RESOLVED that the Peacemaker Brewing Company and Rio Tomatlan shall provide written notice at least two weeks in advance of the event to the surrounding neighborhood on Bemis, Chapin, Bristol, Coach and Coy Streets and Ellis Place.

Discussion: Councilmember-at-Large Terwilliger stated that there are a lot of affected residents due to this exemption and is in support of this as an experiment to see how it goes.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2017-051:

Moved: Councilmember-at-Large O'Brien

Seconded: Councilmember Ward 2 Twitchell

**A RESOLUTION AUTHORIZING THE SUBMITTAL OF A
CHARGE NY INITIATIVE GRANT APPLICATION**

WHEREAS, the City has been working toward taking a leadership role with respect to the utilization of alternative energy sources; and

WHEREAS, the City of Canandaigua was identified in the Genesee Regional Electric Vehicle Charging Station Plan as a recommended location for electric vehicle charging infrastructure; and

WHEREAS, the New York State Energy Research and Development Authority as part of the Charge NY Initiative is offering grants for the installation and hosting of electric vehicle charging stations; and

WHEREAS, the Planning/Development Committee approved the submittal of a grant application to install and host an electric vehicle charging station in a downtown parking lot;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the City Manager is authorized to submit a Notice of Interest and Electric Vehicle Charging Station Host Site Agreement.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2017-052:

Moved: Councilmember Ward 4 Wade

Seconded: Councilmember-at-Large Martin

Amendment: Councilmember Ward 4 Wade moved to change the last sentence to "May 1, 2017". Councilmember-at-Large Martin seconded the motion.

Vote Result: Carried unanimously by voice vote. (8-0)

**A RESOLUTION
RATIFYING THE TENTATIVE COLLECTIVE BARGAINING AGREEMENT
WITH THE CANANDAIGUA DEPARTMENT OF PUBLIC WORKS AND PARKS AND
RECREATION ASSOCIATION
(As Amended)**

WHEREAS, the collective bargaining agreement between the Canandaigua Department of Public Works and Parks and Recreation Association and the City of Canandaigua expired on December 31, 2016; and

WHEREAS, the negotiating teams for the parties have reached a tentative agreement for a new collective bargaining agreement for the years 2017 through 2021; and

WHEREAS, the Canandaigua Department of Public Works and Parks and Recreation Association ratified the tentative agreement on May 4, 2017, and

WHEREAS, the tentative collective bargaining agreement includes wage increases that have not been authorized in the 2017 adopted budget; and

WHEREAS, the City Manager recommends the ratification of this agreement by the City Council;

NOW, THEREFORE, BE IT RESOLVED, that the tentative agreement, which provides for an increase in wages of 2% for years 2017 through 2019 and 1.75% for years 2020 and 2021 of the contract, is hereby ratified and such additional funds, if necessary, shall be allocated from the contingency fund and fund balances of the Water and Sewer Funds; and

BE IT, FURTHER RESOLVED, that the City Manager is hereby authorized to execute a collective bargaining agreement consistent with the terms of the tentative agreement commencing May 1, 2017 and expiring December 31, 2021.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2017-053:

Moved: Councilmember Ward 3 White

Seconded: Councilmember Ward 2 Twitchell

**A RESOLUTION ESTABLISHING PETTY CASH FUNDS FOR
KERSHAW PARK AND THE SUMMER CAMP PROGRAMS**

WHEREAS, cash funds in the amount of two- hundred dollars (\$200) are needed for non-resident admission to the beach area at Kershaw Park during the summer season; and

WHEREAS, cash funds in the amount of two hundred dollars (\$200) are needed for the weekly collection of Summer Day Camp and Kiddie Camp fees;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the City Manager is hereby authorized to establish a petty cash fund from the General Fund in the amount of four- hundred dollars (\$400) for use at Kershaw Park and the Summer Day Camp and Kiddie Camp programs during the summer season of 2017.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Ordinances: None

Local Laws: None

Manager's Report: City Manager Ted Andrzejewski reported the following:

- The Solar Farm ribbon cutting will be on May 25th.
- DPW Union contract negotiation has been completed.
- Lisk Building moving forward.
- Phase 2 of Pinnacle North is started.
- Kershaw Beach will be open on Memorial Day Weekend.
- Water Rate Study RFP's have been sent out.
- DEC has started testing on Tom's Mobil.
- Worked with vendors on the City Pier with placement of food carts.

Appointments: Councilmember-at-Large Terwilliger nominated Lindsay Pennise to fill the unexpired term of Glenn Colliss with a term expiring December 31, 2018 on the Planning Commission. Councilmember-at-Large O'Brien seconded the nomination.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Miscellaneous:

Motion to call surety on Lakefront Hotel Project to reclaim public space and work completed to City specifications, made by Councilmember-at-Large Martin. Seconded by Councilmember-at-Large Whitcomb

Discussion between the Council members of whether it is worthwhile to call the surety to have the public improvements completed or whether the City should just reclaim the public space for the summer without calling the surety at this time.

Motion to amend made by Councilmember-at-Large O'Brien to delay the call of the surety until May 20th to give the Developer the opportunity to perform the work to reclaim public space up to the City specifications. Seconded by Councilmember Ward 4 Wade.

The motion FAILED on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb

NOES: Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Terwilliger, and Mayor Polimeni.

Motion to amend made by Councilmember-at-Large O'Brien to delay the call of the surety until May 20th to give Developer opportunity to perform the work to provide the public space suitable and safe for public use. Seconded by Councilmember Ward 4 Wade.

The motion FAILED on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien,

NOES: Councilmember Ward 3 White, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb, and Mayor Polimeni.

Roll call vote on original motion:

The motion FAILED on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb

NOES: Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Terwilliger, and Mayor Polimeni.

Motion by Councilmember-at-Large Terwilliger to demand that the Developer remove the fence from the northeast parking lot of City property and restore the parking lot for safe public use . Seconded by Councilmember-at-Large Whitcomb.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Adjournment

Councilmember Ward 2 Twitchell moved to adjourn the regular session at 9:37 PM. Councilmember Ward 3 White seconded the motion.

Vote Result: Carried unanimously by voice vote (8-0).

Nancy C. Abdallah, Clerk Treasurer
City of Canandaigua

APPENDIX A
PLANNING/DEVELOPMENT
Tuesday, May 2, 2017
7:00 p.m.
Hurley Building Conference Room

Committee: Cindy Wade, Chair; Robert O'Brien; Jim Terwilliger; Anita Twitchell

Other Council members: Ellen Polimeni; David Whitcomb; Karen White; Matt Martin

Staff: Ted Andrzejewski; John Goodwin; Michele Smith

1. Noise Ordinance Exemption Request

The Peacemaker Brewing Company and Rio Tomatlan are planning a concert to take place in the parking lot of Rio Tomatlan on Sat., July 22, 2017 and has requested an exemption from the noise ordinance for the event. The noise ordinance (attached) allows for the City Council to grant special exemptions based on special or unusual circumstances.

Todd Reardon of the Peacemaker Brewing Company will be at the meeting to speak to the request. He indicated that he wanted an exception until 11pm. Amplified music will play from 7pm until 11pm. He has sold over 200 advance tickets. The Committee members clarified that he is seeking relief not from the hours but from the decibel levels. Chief Hedworth indicated that the exception will definitely be needed or the PD will be inundated with complaints from the surrounding residents. If an exception is granted, it can have conditions that the residents be notified in writing. Jim would also like a report from the Police Dept. after the event to determine if it was disruptive. He will support this exception, as a trial run.

Motion to approve exception to decibel levels and also require written notice to residential neighbors, made by Anita Twitchell, 2nd by Robert O'Brien. Vote 4-0

RESOLUTION

2. Funding for Unsafe Buildings

In accordance with City Code Chapter 300 "Unsafe Buildings", the City can repair or remove unsafe building when the owner of an unsafe building has failed or refuses to repair an unsafe building. All of the costs associated with the City action (costs of repair or removal plus 20% for administration, supervision and handling of the work) become a lien against the property. Two such unsafe buildings are located on Arsenal Terrace (a paper street off of West Avenue). These buildings endanger the health, safety and/or welfare of the public and require demolition with a total estimated cost of \$50,000 (\$25,000 per structure). The City budget does not contain funds for the demolition or repair of unsafe buildings and an appropriation of \$50,000 is necessary to remove the structures. City staff recommends that the City Council appropriate \$50,000 to demolish the structures on Arsenal Terrace.

General discussion regarding the pros and cons of the City taking on this task. Whitcomb and Wade are not in favor of spending money for these out of the way properties. Michele Smith advised that we can also seek civil judgment for costs to be assessed against the property owners personally. Chief Hedworth reiterated that they are problem properties that the Police have had to respond to for people living in these completely inhabitable structures. Not just an eyesore but unsafe.

Council members want to encourage staff to pursue all other avenues be pursued, including explaining the realities of additional costs for city to perform the work, plus 20% and personal civil judgment. Would like to see what happens at the hearing on the 15th. Also, get bids for actual demolition costs. Police provide actual number of calls and issues. Matt Martin wants the property owners to be told that he is willing to knock the properties down for free if they remove the material.

REPORT BACK NEXT MONTH.

APPENDIX A (Continued)
PLANNING/DEVELOPMENT
Tuesday, May 2, 2017

3. Electric Charging Stations

At the January 12, 2016, Environmental/Parks Committee meeting, David Keefe of the Genesee Region Clean Communities presented the Genesee Regional Electric Vehicle Charging Station Plan, which included Canandaigua as a recommended location for electric vehicle charging infrastructure. Mr. Keefe also informed Council that a grant was forthcoming. Said grant is now available (see attached). Prior to submitting a Notice of Interest, City staff is requesting a formal approval from City Council.

General discussion regarding the implementation of this project and the long-term cost and obligations of the City. Motion to approve made by Jim Terwilliger, 2nd by Anita Twitchell. Vote 4-0

RESOLUTION

Executive Session – Collective Bargaining Negotiations and Pending Litigation

Motion to enter into executive session made by Anita Twitchell, 2nd by Robert O'Brien. Vote 4-0

Motion to adjourn executive session and the meeting at 9:15 made by Matt Martin, 2nd by Cindy Wade. Vote 8-0

APPENDIX B ENVIRONMENTAL/PARKS

Tuesday, April 18, 2017

7:00 p.m.

Hurley Building Conference Room

Committee: Nick Cutri, Chair **absent**; Matt Martin; Anita Twitchell; David Whitcomb (**Acting Chair**)
Other Council Members: Ellen Polimeni; Jim Terwilliger; Robert O'Brien; Karen White
Staff: Ted Andrzejewski; John Goodwin; Michele Smith; Nancy Abdallah

1. Research Site Request – Gibson Street Park

Kaitlin Deutsch, a PhD student in the Entomology Department at Cornell University, recently reached out to City staff regarding research for her dissertation. Ms. Deutsch is studying the effect of landscape on wild bee populations and has requested permission to install a “bee hotel” nest box in Gibson Street Park to study the bee population in a suburban area. The nest box would not bring bees onto the site, but will only be sampling the bee population that naturally colonizes in the surrounding landscape. City staff has reviewed this request and recommends permitting Ms. Deutsch to utilize Gibson Street Park as part of her study.

Ms. Deutsch was present to explain her request and answer any questions. David Poteet spoke in support of the project. He has a bee farm in that same area with no issues. Joel Freedman spoke in opposition to the project because of the death of the bees. Deanna – disagrees with Joel and supports this PhD program.

Motion to approve made by Matt Martin, 2nd by Anita Twitchell. Vote 3-0

RESOLUTION

2. LED Streetlight Conversion

The City issued an RFP seeking a firm to assist the City in acquiring the entire street lighting infrastructure in the City and convert the existing fixtures to LEDs. The goal of this project is to conserve energy and reduce energy costs. The project would involve a performance contract, pursuant to Article 9 of the NYS Energy Law. The costs of the improvements would be paid for through reductions in the energy costs and the savings would be guaranteed, including all operating costs. The City received five (5) proposals which were reviewed by City staff. City staff is recommending that the project be awarded to Smartwatt Energy, Inc.

Ryan Robinson, Brian Donald, Scott Clark, and Tony Acernese, representatives from Smartwatt, were present and answered questions from City Council.

Motion to authorize agreement with SmartWatt made by Matt Martin, 2nd by Anita Twitchell. Vote 3-0

RESOLUTION

3. Dog Park

The City has been working with the Friends of Canandaigua Canine Campus (CCC) to establish a dog park in the City. Last year the City purchased property at 97 Buffalo Street for the purpose of developing a dog park on the property. As part of the City's effort to establish a dog park, the City applied for a grant to help fund the development of the park but was unsuccessful. It is important to note that the grant application included a local match that consisted of City labor in-kind local match, and money donated through the efforts of CCC. CCC is now looking to start its fund-raising efforts and prepare draft rules and regulations to recommend to City Council, but is asking that City Council determine if it supports the “membership model” dog park prior to commencing these efforts.

Nancy McCarthy was present to provide a brief summary and answer any questions. CCC only supports a membership model. Audience full of CCC members/supporters that spoke on behalf of membership model.

APPENDIX B (Continued)
ENVIRONMENTAL/PARKS
Tuesday, April 18, 2017

Nancy Abdallah and Ted Andrzejwski raised concerns over the administrative aspects of this proposal without having more detailed information about how this model works.

Nancy McCarthy responded that they would provide volunteer ambassadors for the initial sign-up to answer any questions and review applications so Clerk's Office would only need to collect money and issue memberships.

Anita Twitchell expected more detailed information to be provided to make this decision. Based on information provided she thinks a more viable solution is the lease arrangement introduced by Robert O'Brien so CCC can manage the park the way they want.

David Whitcomb brought the conversation back to the question of whether or not the Council supports a membership-model park.

Motion to support membership model (with encouragement to structure the model to minimize staff administration). No second. Anita does not believe enough information has been provided. David also supports for financial reasons because the model also helps support the park.

Karen White does not support for a variety of reasons.

David Whitcomb has requested that a **RESOLUTION** in support be placed on the May 4th, City Council agenda.

Agenda concluded at 8:30 and transitioned into Ordinance/Charter Review Committee.

APPENDIX C
ORDINANCE/CHARTER COMMITTEE
Tuesday, April 18, 2017
8:30 p.m.
Hurley Building Conference Room

Committee: David Whitcomb, Chair; Nick Cutri – **absent**; Matt Martin; Karen White
Other Council Members: Ellen Polimeni; Jim Terwilliger; Robert O’Brien
Staff: Ted Andrzejewski; John Goodwin; Michele Smith; Stephen Hedworth; Nancy Abdallah

1. Sanctuary City

Mayor Polimeni, upon the request of a resident, asked that the Committee to discuss the impact of sanctuary cities, and how our local police respond. There is no single definition for a “sanctuary city”. It is a broad term applied to jurisdictions that have adopted policies to limit cooperation with federal immigration authorities. Attached to the agenda is a resolution adopted by the City of Rochester as an example. It should be noted that the President has issued an executive order that states that jurisdictions that adopt such policies will not receive Federal funds.

Police Chief Hedworth explained that in all cases they only detain any person when they have probable cause, whether they are a US citizen or an illegal immigrant. If illegal status, or any other relevant information, becomes known to them through a criminal investigation it is referred to appropriate agencies. The CPD does not actively search for illegal immigrants. He does not believe it is an issue here in Canandaigua.

Comments taken from the general public – both for and against Sanctuary City status.

NO ACTION – general discussion.

(Karen White left at 9:00)

2. Vending Guidelines and Regulations

At the February Ordinance/Charter Review Committee, the Committee reviewed proposed changes to the vending guidelines and regulations. The proposed changes included limiting the number of Downtown permits to one (1) and moving the vending location on City Pier from parking spaces to designated spots. The Committee also discussed changing the current lottery system to a first refusal system next year. The matter was tabled to invite the vendors to the next meeting to discuss the proposed changes.

The 3 current vendors appeared to discuss any concerns they have with proposed language. Toxic Tony has an issue with the proposed pads on the City Pier because they are not very far apart from each other. Also, one pad has more advantageous location then the other. He would propose, as an alternative, that they be limited to 1 parking space. Steve Marzak supports the changes but does not support the pads. Allan – on the pad last year - he thought it was a much safer location. He is also a current downtown vendor and has no issue with the proposed changes.

NO ACTION – general discussion. Staff will work with vendors on pad locations and language, will also consider if one pad spot is more preferable then rotate between vendors every other year.

3. BID Bylaw Amendment

The Downtown Canandaigua Business Management Association, better known as the Business Improvement District (BID), has requested an amendment to its Bylaws. The BID has four voting classes of membership (A, B, C, and D). The BID has proposed changing the definition of the Class C voting class. In summary, the BID would like to change Class C membership from a person who rents a residential unit to a person that resides in a residential unit. Attached is the complete Bylaws with the proposed amended sections highlighted. Denise Chaapel will be at the meeting to present the proposed change and answer questions.

APPENDIX C (Continued)
ORDINANCE/CHARTER COMMITTEE
Tuesday, April 18, 2017

Denise Chaapel explained the reason for the request.

Matt Martin made a motion to support but no quorum for a second.

David Whitcomb requested that the matter be referred to the City Council.

4. Executive Session – Legal Update – Attorney-Client Communications

The City Attorney will provide an update to City Council on legal matters.

David Whitcomb adjourned executive session at 9:45.

David Whitcomb adjourned meeting at 9:45.

APPENDIX D
FINANCE/BUDGET COMMITTEE
Tuesday, April 25, 2017
7:00 p.m.
Hurley Building Conference Room

Committee: Jim Terwilliger, Chair; Robert O'Brien; Karen White

Other Council members: Ellen Polimeni; David Whitcomb; Matt Martin

Staff: Ted Andrzejewski; John Goodwin; Michele Smith; Dan Mackey; Jim Sprague; Ben Cramer, Steve Hedworth

1. Resident Passes for Family and Guests at Kershaw Park (est. discussion length 5 minutes)

Via Resolution #97-083 City Council adopted a policy of providing ten free passes to Kershaw Park Beach for resident's visiting friends and family. The City's inventory of passes is very low and due to the fact that it has been 20 years since the adoption of the policy, City staff recommends that the City Council review the policy prior to staff ordering additional passes. City staff recommends that City Council reaffirm this policy. **John Goodwin clarified that the policy allows for 10 free passes annually for resident to allow for visiting friends and family entry to the beach. Motion made by Karen White, 2nd Robert O'Brien. Approved 3-0**

2. Ontario County Public Works Mutual Aid Agreement (est. discussion length 5 minutes)

In 2008 the City entered into a mutual aid agreement with Ontario County which allows municipalities to assist one another on highway projects and maintenance to meet temporary demands for machinery and labor. This agreement was for a term of five years with the option to extend for another five years. The agreement was extended in 2013 via Resolution #2013-010 and will be expiring at the end of this year. Ontario County has proffered a successor agreement (attached to the agenda). City staff recommends authorizing the agreement. **Jim Sprague confirmed that the agreement is a mutual aid agreement for all municipalities in Ontario County. Motion made by Robert O'Brien, 2nd Karen White. Approved 3-0**

3. Gas Main at Sonnenberg Park – NYSEG (est. discussion length 5-10 minutes)

NYSEG is planning to perform repair work to an existing gas pipe from the corner of Howell and Charlotte Streets along Circle Drive and along a portion of Fort Hill Ave and East Street. The work entails the installation of a sleeve over the existing pipe in place so there will be a minimum of excavation disturbance. The vast majority of this work will take place in the right-of-way; however, because a small portion of the main cuts across the corner of Sonnenberg Park at the corner of Howell and Charlotte Streets NYSEG has asked the City to approve the pipe. It is not anticipated that the park will be disturbed by this work, unless the City requires the pipe to be moved into the right-of-way. City staff recommends approval. **Motion made by Robert O'Brien, 2nd by Karen White. Approved 3-0.**

4. Charter Review Commission – Request for Funds (est. discussion length 5-10 minutes)

The Charter Review Commission has completed its draft changes of the charter, pending the public feedback at its April 26, 2017 public hearing. As a result, the Commission has discussed how to educate the public about the proposed changes and voted at its April 4th meeting to request funds in an amount not to exceed \$3,000 from City Council to prepare and distribute educational materials. Paul Bringewatt, Chairman of the Commission, will be at the meeting to discuss the request and answer any questions. **John Goodwin spoke on behalf of the Commission. The Commission would like funding to educate voters and the community about the proposed changes to the Charter. Motion made by Karen White, 2nd Robert O'Brien. Approved 3-0.**

APPENDIX D (continued)
FINANCE/BUDGET COMMITTEE
Tuesday, April 25, 2017

5. Surplus Vehicles & Equipment (est. discussion length 5-10 minutes)

Each year the City replaces various vehicles and equipment through the Capital Budget and Plan which necessities that various vehicles and equipment that have been replaced and/or have become obsolete be declared surplus and disposed of through public auction, sealed bid or as trade-ins. The funds received from the auction and/or sale of the surplus items is deposited into to the Capital Reserve. There is one difference from previous years. The Finger Lakes Law Enforcement Academy has requested of all of its partnering agencies consider providing vehicles for the academy which are used to train police officers. The Police Chief has requested that we provide the academy with the 2007 Chevy Impala (unmarked police vehicle with an estimated auction value of \$2,000) that is being declared surplus. **This is an annual item. Chief Hedworth spoke to his request to donate an old police vehicle to the Finger Lakes Law Enforcement Academy. Motion made by Robert O'Brien, 2nd Karen White. Approved 3-0.**

6. Fire Service Figures (est. discussion length 30-45 minutes)

The Finance/Budget Committee has made the discussion/review of the City's fire service a top priority in terms of budget item discussion. At the Committee's meetings of February 28, and March 28, 2017, the Committee reviewed and discussed a report prepared by Ontario County Values, Inc. relative to fire services in Ontario County. The Committee would now like to review and discuss the level of service that City Council is comfortable with, whether or not the City is efficiently providing fire service, and the Fire Department's request for additional staffing. Attached to the agenda is a memorandum providing an overview of Fire Department data and information for City Councils review and consideration. **John Goodwin presented his memo that was an overview of the Fire Department data and information. The Committee discussed the numbers and received input from career and volunteer firefighters in attendance (Ben Cramer, Bob Palumbo, Lee DeRuyter and Eric Cooper). The Committee decided that a Task Force should be formed to review staffing and other Fire Department related matters.**

Meeting adjourned at 9:12 PM.

APPENDIX E
PLANNED UNIT DEVELOPMENT
Thursday, April 20, 2017
7:00 p.m.
Hurley Building Conference Room

Committee: David Whitcomb, Chairman, Ellen Polimeni, Mayor, Robert O'Brien, James Terwilliger, Matt Martin, Karen White, Anita Twitchell **absent**, Cindy Wade **absent**, Nick Cutri **absent**

City Staff: Ted Andrzejewski; John Goodwin; Michele Smith

1. PUBLIC HEARING -CAPSTONE DEVELOPMENT (Lisk Property – 243-299 Gorham Street - opened at 7:06

At the March 23, 2017 PUD Committee meeting the PUD Committee received an application for a sketch plan approval and supporting documentation for a Planned Unit Development at the subject property. The City Council at its April 6, 2017 meeting via Resolution #2017-029 certified the application as being complete and referred the application to City staff for a coordinated staff review, City Planning Commission and Ontario County Planning Board. The City Council also scheduled a public hearing via Resolution #2017-030 on the sketch plan application. **Barbara McPhail - Concerned with roof on the Lisk building and would like a community garden proposed.**

Jill Glatlee – questioned whether or not the buildings would be wired for “greenlight” internet. Developer responded that they would be wired for all the internet providers. She is also concerned with the traffic but thinks the advantages will be beneficial and the project is beautiful. Public

Hearing Closed at 7:11pm

2. SEQRA Review - Lisk Property – 243-299 Gorham Street

The City is the Lead Agency for the Environmental Review in accordance with 6 NYCRR Part 617 (SEQRA) which requires a complete review of the Full Environmental Assessment Form submitted with the application.

David Whitcomb lead discussion and analysis of Part 2 of EAF. Reviewed each question.

With respect to question #10 it was clarified that most of Ontario County is designated as a sensitive archaeological site, but the area had previously been developed and no SHPO release is necessary.

Question #14 needs to be changed to “yes” on impact. d) heating or cooling of more than 100,000 square feet will have a small impact.

No other changes.

Motion made Matt Martin for Neg. Dec. of SEQRA, 2nd by Robert O'Brien. Vote 6-0

Motion to approve the sketch plan and approve as a planned unit development made by Matt Martin, 2nd by Robert O'Brien. Vote 5-0 (Jim Terwilliger recused himself because of CNB financing). 2

RESOLUTIONS

Motion for executive session for attorney-client made by Matt Martin, 2nd by David Whitcomb. Vote 6-0

Adjourn at 8:31pm